

# United States District Court

DISTRICT OF

MASSACHUSETTS

UNITED STATES OF AMERICA

V.

## WAIVER OF PRELIMINARY EXAMINATION OR HEARING (Rule 5 or 32.1, Fed. R. Crim. P.)

TIMOTHY HERLIHY

Case Number: MS# 04-822-MBB

I, TIMOTHY HERLIHY, charged in a (complaint) (petition)  
pending in this District with ~~21 USC § 846~~ - conspiracy to distribute  
in violation of Title 21 USC § 846, U.S.C.,

and having appeared before this Court and been advised of my rights as required by Rule 5 or Rule 32.1, Fed. R. Crim. P., including my right to have a preliminary (examination) (hearing), do hereby waive (give up) my right to a preliminary (examination) (hearing).

Timothy Herlihy  
Defendant

Michael J. [Signature]  
Counsel for Defendant

4/20/04  
Date